AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in this application:

Listing of claims:

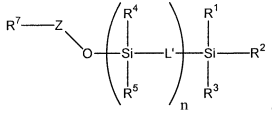
1-50. (Canceled)

51. (Currently Amended) A hydrolysable paint composition comprising silylesters of monocarboxylic, sulphonic or phosphoric acid other than rosin as a binder component of the binder system wherein the carboxylic, sulphonic or phosphoric acid part of the organosilyl ester is saturated at the alpha carbon and wherein the composition includes a co-binder and an antifoulant a marine biocide.

52. (Canceled)

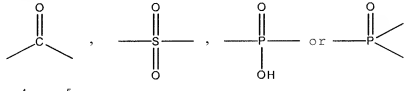
53. (Previously Presented) A paint composition according to claim 51, which comprises a mixture of the said silylesters.

54. (Previously Presented) A paint composition according to claim 51, wherein the organosilyl ester of the acid is represented by the general formula (I):



(I)

wherein Z represents:



wherein each R^4 and R^5 may be hydroxyl or may be independently selected from alkyl, aryl, alkoxyl, aryloxyl, -L'-$SiR^1R^2R^3$, -L'-$(SiR^4R^5L')_n$-$SiR^1R^2R^3$, -L'-SiR^1R^2-, -L'-$(SiR^4R^5L')_n$-SiR^1R^2-, alkenyl, alkynyl, aralkyl or aralkyloxyl radicals optionally substituted by one or more substituents independently selected from the group comprising alkyl, alkoxyl, aralkyl, aralkyloxyl, hydroxyl, aryl, aryloxyl, halogen, amino (preferably, tertiary amino) or amino alkyl radicals, or R^4 or R^5 may independently be an –O-Z-R^8 group, wherein R^8 is defined as R^7 below;

wherein each R^1, R^2 and R^3 may independently represent hydrogen, hydroxyl, alkyl, alkenyl, alkynyl, alkoxyl, aryl, aryloxyl, aralkyl or aralkyloxyl radical optionally substituted by one or more substituents independently selected from the group comprising alkyl, alkoxyl, aralkyl, aralkyloxyl, aryl, aryloxyl, halogen, hydroxyl, amino (preferably, tertiary amino) or amino alkyl radicals, or R^1, R^2 or R^3 may independently be an $-O-Z-R^8$ group,

L' represents O, S, or NR^6, where R^6 is defined as is R^9 below,

each n independently represents a number of $-Si(R^4)(R^5)-L'-$ groups from 0 to 1000,

wherein R^7 is an aralkyl, aryl, alkenyl, alkynyl, or a C_2 or higher alkyl group optionally substituted, in the case of the hydrocarbyl radicals with one or more substituents selected from the equivalent substituents as defined for R^1, R^2, R^3, R^4 and R^5 above.

55. (Previously Presented) A paint composition according to claim 51, wherein said co-binder is selected from

(a) Resinates of Ca, Cu or Zn;
(b) Naphthenates of Ca, Cu, Zn;
(c) Acrylates;
(d) Cu/Zn/Ca acrylates or polyesters;
(e) Tri-organosilyl(meth)acrylates copolymers; and
(f) Hydrophilic (meth) acrylates

56. (Previously Presented) A paint composition according to claim 51, wherein the binder incorporates poly(silylesters) or polyfunctional acids to help improve the film forming properties of the binder.

57. (Previously Presented) A paint composition according to claim 51, wherein the binder incorporates abietyl dimers to help improve the film forming properties of the binder.

58-59. (Canceled)

60. (Previously Presented) A hydrolysable antifouling paint composition according to claim 51, wherein said co-binder is selected from tri-organosilyl(meth)acrylate copolymers.

61-66. (Canceled)

67. (Previously Presented) A hydrolysable paint composition according to claim 51, further comprising organosilylesters of rosin.

68. (Currently Amended) A hydrolysable paint composition comprising silylesters of monocarboxylic, sulphonic or phosphoric acid other than rosin as a binder component of the binder system, the binder system effective to hydrolyse in use to thereby cause release of an active agent into the surrounding environment, wherein the carboxylic, sulphonic or phosphoric acid part of the organosilyl ester is saturated at the alpha carbon and wherein the composition includes a co-binder and an ~~antifoulant~~ a marine biocide.

69. (New) A paint composition according to claim 51, wherein the marine biocide comprises at least one selected from the group consisting of copper sulphate, copper powder, cuprous thiocyanate, copper carbonate, copper chloride, cuprous oxide, zinc sulphate, zinc oxide, nickel sulphate, and copper nickel alloys.

70. (New) A paint composition according to claim 51, wherein the marine biocide comprises at least one selected from the group consisting of organo-copper compounds, organo-nickel compounds, organo-zinc compounds, maneb and mixed metal-containing organic compounds.

71. (New) A paint composition according to claim 51, wherein the marine biocide comprises at least one selected from the group consisting of manganese ethylene bis dithiocarbamate (maneb), propineb, copper nonylphenol-sulphonate, copper bis(ethylenediamine) bis(dodecylbenzene sulphonate), copper acetate, copper naphthenate, copper pyrithione, copper bis(pentachlorophenolate), nickel acetate, nickel dimethyl dithiocarbamate, zinc acetate, zinc carbamate, bis(dimethylcarbamoyl) zinc ethylene-bis(dithiocarbamate), zinc dimethyl dithiocarbamate, zinc pyrithione, and zinc ethylene-bis(dithiocarbamate), and (polymeric) manganese ethylene bis dithiocarbamate complexed with zinc salt (mancozeb).

72. (New) A paint composition according to claim 51, wherein the marine biocide comprises at least one selected from the group consisting of N-trihalomethylthiophthalimides, trihalomethylthiosulphamides, dithiocarbamic acids, N-arylmaleimides, 3-(substituted amino)-1,3 thiazolidine-2,4-diones, dithiocyano compounds, triazine compounds, oxathiazines, 2,4,5,6-tetrachloroisophthalonitrile, N,N-dimethyl-dichlorophenylurea, 4,5-dichloro-2-n-octyl-4-isothiazoline-3-one, N,N-dimethyl-N'-phenyl-(N-fluorodichloromethylthio)-sulfamide, tetramethylthiuramdisulphide, 3-iodo-2-propinylbutyl carbamate, 2-(methoxycarbonylamino)benzimidazole, 2,3,5,6-tetrachloro-4-(methylsulphonyl)pyridine, diiodomethyl-p-tolyl sulphone, phenyl(bispyridine)bismuth dichloride, 2-(4-thiazolyl)benzimidazole, dihydroabietyl amine, N-methylol formamide and pyridine triphenylborane.

73. (New) A paint composition according to claim 51, wherein the marine biocide is a barnaclecide.

74. (New) A paint composition according to claim 73, wherein the barnaclecide comprises at least one selected from the group consisting of cuprous oxide, cuprous thiocyanate and 2-trihalogenomethyl-3-halogeno-4-cyano pyrrole derivative substituted in position 5 and optionally in position 1, the halogens in positions 2 and 3 being independently selected from the group consisting of fluorine, chlorine and bromine, the substituent in position 5 being selected from the group consisting of C1-8 alkyl, C1-8 monohalogenoalkyl, C5-6 cycloalkyl, C5-6 monohalogenocycloalkyl, benzyl, phenyl, mono- and di-halogenobenzyl, mono- and di-halogenophenyl, mono- and di-C1-4-alkyl benzyl, mono- and di-C1-4- alkyl phenyl, monohalogeno mono-C1-4-alkyl benzyl, and monohalogeno mono-C1-4- alkyl phenyl, any halogen on the substituent in position 5 being selected from the group consisting of chlorine and bromine, the optional substituent in position 1 being selected from C1-4 alkyl and C1-4 alkoxy C1-4 alkyl.

75. (New) A paint composition according to claim 51, wherein said composition contains one or more pigments that are sparingly soluble in seawater.

76. (New) A paint composition according to claim 75, wherein the pigment is selected from the group consisting of cuprous thiocyanate, cuprous oxide, zinc oxide, cupric acetate meta-arsenate, zinc chromate, zinc dimethyl dithiocarbamate, zinc ethylene bis(dithiocarbamate), zinc diethyl dithiocarbamate and mixtures thereof.

77. (New) A paint composition according to claim 75, wherein the pigment is a mixture of zinc oxide with cuprous oxide or a mixture of zinc oxide with cuprous thiocyanate.

78. (New) A paint composition according to claim 51, wherein the marine biocide is oxathiazine.

79. (New) A paint composition according to claim 51, wherein the marine biocide comprises at least one selected from the group consisting of copper sulphate, copper powder, cuprous thiocyanate, copper carbonate, copper chloride, cuprous oxide, zinc sulphate, zinc oxide, nickel sulphate, copper nickel alloys, organo-copper compounds, organo-nickel compounds, organo-zinc compounds, maneb, mixed metal-containing organic compounds, manganese ethylene bis dithiocarbamate (maneb), propineb, copper nonylphenol-sulphonate, copper bis(ethylenediamine) bis(dodecylbenzene sulphonate), copper acetate, copper naphthenate, copper pyrithione, copper bis(pentachlorophenolate), nickel acetate, nickel dimethyl dithiocarbamate, zinc acetate, zinc carbamate, bis(dimethylcarbamoyl) zinc ethylene-bis(dithiocarbamate), zinc dimethyl dithiocarbamate, zinc pyrithione, and zinc ethylene-bis(dithiocarbamate), (polymeric) manganese ethylene bis dithiocarbamate complexed with zinc salt

(mancozeb), N-trihalomethylthiophthalimides, trihalomethylthiosulphamides, dithiocarbamic acids, N-arylmaleimides, 3-(substituted amino)-1,3 thiazolidine-2,4-diones, dithiocyano compounds, triazine compounds, oxathiazines, 2,4,5,6-tetrachloroisophthalonitrile, N,N-dimethyl-dichlorophenylurea, 4,5-dichloro-2-n-octyl-4-isothiazoline-3-one, N,N-dimethyl-N'-phenyl-(N-fluorodichloromethylthio)-sulfamide, tetramethylthiuramdisulphide, 3-iodo-2-propinylbutyl carbamate, 2-(methoxycarbonylamino)benzimidazole, 2,3,5,6-tetrachloro-4-(methylsulphonyl)pyridine, diiodomethyl-p-tolyl sulphone, phenyl(bispyridine)bismuth dichloride, 2-(4-thiazolyl)benzimidazole, dihydroabietyl amine, N-methylol formamide, pyridine triphenylborane, and 2-trihalogenomethyl-3-halogeno-4-cyano pyrrole derivative substituted in position 5 and optionally in position 1, the halogens in positions 2 and 3 being independently selected from the group consisting of fluorine, chlorine and bromine, the substituent in position 5 being selected from the group consisting of C1-8 alkyl, C1-8 monohalogenoalkyl, C5-6 cycloalkyl, C5-6 monohalogenocycloalkyl, benzyl, phenyl, mono- and di-halogenobenzyl, mono- and di-halogenophenyl, mono- and di-C1-4-alkyl benzyl, mono- and di-C1-4- alkyl phenyl, monohalogeno mono-C1-4-alkyl benzyl, and monohalogeno mono-C1-4- alkyl phenyl, any halogen on the substituent in position 5 being selected from the group consisting of chlorine and bromine, the optional substituent in position 1 being selected from C1-4 alkyl and C1-4 alkoxy C1-4 alkyl.

80. (New) A paint composition according to claim 68, wherein the marine biocide comprises at least one selected from the group consisting of copper sulphate, copper powder, cuprous thiocyanate, copper carbonate, copper chloride, cuprous oxide, zinc sulphate, zinc oxide, nickel sulphate, and copper nickel alloys.

81. (New) A paint composition according to claim 68, wherein the marine biocide comprises at least one selected from the group consisting of organo-copper compounds, organo-nickel compounds, organo-zinc compounds, maneb and mixed metal-containing organic compounds.

82. (New) A paint composition according to claim 68, wherein the marine biocide comprises at least one selected from the group consisting of manganese ethylene bis dithiocarbamate (maneb), propineb, copper nonylphenol-sulphonate, copper bis(ethylenediamine) bis(dodecylbenzene sulphonate), copper acetate, copper naphthenate, copper pyrithione, copper bis(pentachlorophenolate), nickel acetate, nickel dimethyl dithiocarbamate, zinc acetate, zinc carbamate, bis(dimethylcarbamoyl) zinc ethylene-bis(dithiocarbamate), zinc dimethyl dithiocarbamate, zinc pyrithione, and zinc ethylene-bis(dithiocarbamate), and (polymeric) manganese ethylene bis dithiocarbamate complexed with zinc salt (mancozeb).

83. (New) A paint composition according to claim 68, wherein the marine biocide comprises at least one selected from the group consisting of N-trihalomethylthiophthalimides, trihalomethylthiosulphamides,

dithiocarbamic acids, N-arylmaleimides, 3-(substituted amino)-1,3 thiazolidine-2,4-diones, dithiocyano compounds, triazine compounds, oxathiazines, 2,4,5,6-tetrachloroisophthalonitrile, N,N-dimethyl-dichlorophenylurea, 4,5-dichloro-2-n-octyl-4-isothiazoline-3-one, N,N-dimethyl-N'-phenyl-(N-fluorodichloromethylthio)-sulfamide, tetramethylthiuramdisulphide, 3-iodo-2-propinylbutyl carbamate, 2-(methoxycarbonylamino)benzimidazole, 2,3,5,6-tetrachloro-4-(methylsulphonyl)pyridine, diiodomethyl-p-tolyl sulphone, phenyl(bispyridine)bismuth dichloride, 2-(4-thiazolyl)benzimidazole, dihydroabietyl amine, N-methylol formamide and pyridine triphenylborane.

84. (New) A paint composition according to claim 68, wherein the marine biocide is a barnaclecide.

85. (New) A paint composition according to claim 84, wherein the barnaclecide comprises at least one selected from the group consisting of cuprous oxide, cuprous thiocyanate and 2-trihalogenomethyl-3-halogeno-4-cyano pyrrole derivative substituted in position 5 and optionally in position 1, the halogens in positions 2 and 3 being independently selected from the group consisting of fluorine, chlorine and bromine, the substituent in position 5 being selected from the group consisting of C1-8 alkyl, C1-8 monohalogenoalkyl, C5-6 cycloalkyl, C5-6 monohalogenocycloalkyl, benzyl, phenyl, mono- and di-halogenobenzyl, mono- and di-halogenophenyl, mono- and di-C1-4-alkyl benzyl, mono- and di-C1-4- alkyl phenyl, monohalogeno mono-C1-4-alkyl benzyl, and monohalogeno mono-C1-4- alkyl phenyl, any halogen on the substituent in position 5 being selected from the group consisting of chlorine and bromine, the optional substituent in position 1 being selected from C1-4 alkyl and C1-4 alkoxy C1-4 alkyl.

86. (New) A paint composition according to claim 68, wherein said composition contains one or more pigments that are sparingly soluble in seawater.

87. (New) A paint composition according to claim 86, wherein the pigment is selected from the group consisting of cuprous thiocyanate, cuprous oxide, zinc oxide, cupric acetate meta-arsenate, zinc chromate, zinc dimethyl dithiocarbamate, zinc ethylene bis(dithiocarbamate), zinc diethyl dithiocarbamate and mixtures thereof.

88. (New) A paint composition according to claim 86, wherein the pigment is a mixture of zinc oxide with cuprous oxide or a mixture of zinc oxide with cuprous thiocyanate.

89. (New) A paint composition according to claim 68, wherein the marine biocide is oxathiazine.

90. (New) A paint composition according to claim 68, wherein the marine biocide comprises at least one selected from the group consisting of copper sulphate, copper powder, cuprous thiocyanate, copper carbonate, copper chloride, cuprous oxide, zinc sulphate, zinc oxide, nickel sulphate, copper nickel alloys,

organo-copper compounds, organo-nickel compounds, organo-zinc compounds, maneb, mixed metal-containing organic compounds, manganese ethylene bis dithiocarbamate (maneb), propineb, copper nonylphenol-sulphonate, copper bis(ethylenediamine) bis(dodecylbenzene sulphonate), copper acetate, copper naphthenate, copper pyrithione, copper bis(pentachlorophenolate), nickel acetate, nickel dimethyl dithiocarbamate, zinc acetate, zinc carbamate, bis(dimethylcarbamoyl) zinc ethylene-bis(dithiocarbamate), zinc dimethyl dithiocarbamate, zinc pyrithione, and zinc ethylene-bis(dithiocarbamate), (polymeric) manganese ethylene bis dithiocarbamate complexed with zinc salt (mancozeb), N-trihalomethylthiophthalimides, trihalomethylthiosulphamides, dithiocarbamic acids, N-arylmaleimides, 3-(substituted amino)-1,3 thiazolidine-2,4-diones, dithiocyano compounds, triazine compounds, oxathiazines, 2,4,5,6-tetrachloroisophthalonitrile, N,N-dimethyl-dichlorophenylurea, 4,5-dichloro-2-n-octyl-4-isothiazoline-3-one, N,N-dimethyl-N'-phenyl-(N-fluorodichloromethylthio)-sulfamide, tetramethylthiuramdisulphide, 3-iodo-2-propinylbutyl carbamate, 2-(methoxycarbonylamino)benzimidazole, 2,3,5,6-tetrachloro-4-(methylsulphonyl)pyridine, diiodomethyl-p-tolyl sulphone, phenyl(bispyridine)bismuth dichloride, 2-(4-thiazolyl)benzimidazole, dihydroabietyl amine, N-methylol formamide, pyridine triphenylborane, and 2-trihalogenomethyl-3-halogeno-4-cyano pyrrole derivative substituted in position 5 and optionally in position 1, the halogens in positions 2 and 3 being independently selected from the group consisting of fluorine, chlorine and bromine, the substituent in position 5 being selected from the group consisting of C1-8 alkyl, C1-8 monohalogenoalkyl, C5-6 cycloalkyl, C5-6 monohalogenocycloalkyl, benzyl, phenyl, mono- and di-halogenobenzyl, mono- and di-halogenophenyl, mono- and di-C1-4-alkyl benzyl, mono- and di-C1-4- alkyl phenyl, monohalogeno mono-C1-4-alkyl benzyl, and monohalogeno mono-C1-4- alkyl phenyl, any halogen on the substituent in position 5 being selected from the group consisting of chlorine and bromine, the optional substituent in position 1 being selected from C1-4 alkyl and C1-4 alkoxy C1-4 alkyl.